

Sharon
Tröcher

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278

APR 22 1993

CERTIFIED MAIL--
RETURN RECEIPT REQUESTED

The Honorable R. Michael Worden, Mayor
City of Port Jervis
Port Jervis Municipal Building
18 Hammond Street
Port Jervis, New York 12721

Re: Carroll & Dubies Superfund Site,
Port Jervis, New York

Dear Mayor Worden:

The U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. §9601, et seq.

EPA has documented the release and threatened release of hazardous substances into the environment at a site referred to herein as the "Carroll & Dubies Superfund Site" or the "Site," located at Canal Street in Port Jervis, Orange County, New York. In response to these releases of hazardous substances and the threat of future such releases, EPA has spent public funds and anticipates spending additional public funds. These actions have been and will be taken by EPA pursuant to CERCLA.

Under CERCLA and other laws, responsible parties may be held liable for monies expended by the federal government in taking response actions at and around sites where hazardous substances have been released, including investigative, planning, removal, remedial and enforcement actions. Responsible parties also may be subject to orders requiring them to take response actions themselves. Responsible parties under CERCLA include, among others, the current or past owners of the facility from which there has been a release or threatened release of hazardous substances.

700031

By this letter, we notify you that we have reason to believe that the City of Port Jervis owned a portion of the Site at the time of the disposal of hazardous substances there and currently owns a portion of the Site, and may accordingly be liable pursuant to Section 107(a)(1) and 107(a)(2) of CERCLA, 42 U.S.C. §9607(a)(1) and §9607(a)(2), as a potentially responsible party ("PRP").

On September 25, 1989, EPA notified the following entities that they too were PRPs at the Site: Carroll and Dubies Sewage Disposal Facility, Inc. ("Carroll and Dubies"); Kolmar Laboratories, Inc. ("Kolmar"); Reynolds Metals Company ("Reynolds"); and Wickhen Products, Inc. ("Wickhen").

On February 8, 1990, EPA issued an Administrative Order on Consent, Index Number II CERCLA-00202 (the "Order"), to Kolmar and Wickhen, generators of hazardous substances disposed of at the Site. Pursuant to the terms of the Order and under the supervision of EPA, Kolmar and Wickhen are conducting a remedial investigation and feasibility study ("RI/FS") to determine the nature and extent of the release and threatened release of hazardous substances at and from the Site and evaluate possible remedial actions. Following completion of the RI/FS, EPA will select a remedy for the Site, and will give the PRPs an opportunity to undertake its design and implementation.

If you have any questions, please do not hesitate to call Sharon E. Kivowitz of the Office of Regional Counsel, at 212-264-2211, or Sharon Trocher, the Remedial Project Manager for the Site, at 212-264-0722.

Sincerely yours,



for George Pavlou, Acting Director
Emergency and Remedial Response Division

cc: Michael O'Toole - NYSDEC
Jeff Lacey, Esq. - NYSDEC
Joseph Carroll
Gustave Dubies
Robert J. Glasser, Esq.
Gould & Wilkie - Wickhen Products, Inc.
Debra L. Rothberg, Esq.
Winston & Strawn - Kolmar Laboratories, Inc.
Renata M. Manzo, Esq.
Reynolds Metals Company
John Hicks, Esq.
Hicks & Myrow - Town of Pt. Jervis

700032